

BUYING NIAGARA.

I HAVE been asked to write the story of the movement to preserve Niagara, and I gladly comply, believing that all students of politics and the actions of public opinion on measures will find in the movement which has led to the purchase of Niagara Falls by the State of New York another instance of the power of mere *sentiment* among men. The machinery of government in the United States is rarely used to procure a result belonging so entirely to the realm of elevated sentiment; and yet it is only by appeal to a legislative body that any help can be obtained for such purposes from the State. An occasional appropriation for a statue or some other work of art is about the limit to which a Legislature will go, unless the object is distinctly of an educational character and has a very practical side to it. But away down deep in the Anglo-Saxon breast is always to be found the element of sentiment; stronger perhaps because so deeply hidden, and capable too of great results and great sacrifices when once aroused. The trouble is to arouse it, and this, in the practical, active life of the great Republic, is a matter of difficulty; certainly it requires time and patience to do it.

Nowhere in the world is private generosity for public purposes greater than in the United States, and it was not an impossibility to imagine that the preservation of Niagara might have been secured by the contributions of private individuals; yet the evident propriety of the work to be done being carried out by the State, prevented even the consideration of the former method. Besides, it was thought by those who had the matter in charge that an appeal to the sentiment, to the patriotism and pride of the people would not be in vain, and on that principle the battle was fought and the victory won. Never before had an attempt to use the machinery of government on so large a scale for such a purpose been tried; but the very magnitude and grandeur of the sentiment, so to speak, would, it was thought, have an attraction for our people, who have an inborn interest for anything great or large; and, moreover, there was from the very beginning no sordid element to degrade or modify the ideal set before the public by the labourers in the move-

ment. Time has justified our faith: the work has been accomplished, and the million and a half which the State of New York has given for this purpose is not regretted by even the small part of its citizens who originally opposed the appropriation. On the contrary, the pride of the people is universal in the fact that they themselves have made the Falls of Niagara free to all mankind for all time to come. But to secure all this it was first necessary to obtain an expression of public opinion, and that not a doubtful one: and this is the way we went about it, for we never doubted for a moment that, this expression once obtained, success would follow as a matter of course.

About eight or nine years ago attention was called to the condition of affairs at Niagara, but not until 1879 did the matter take any public form. During that year the Governor of New York, as the result of an interview had with the Governor-General of Canada, sent a message to the Legislature of the State regarding the abuses existing at the Falls. The result of this message was a resolution by the Legislature directing the Commissioners of the State Survey to inquire, consider, and report regarding the matter. Such a report was duly made, and in the following year the movement received additional stimulus by the presentation of a notable memorial to the Governor of New York and the Governor-General of Canada, asking that immediate steps be taken to preserve the scenery at the Falls. The first bill to secure these results was also at this time introduced into the Legislature of New York, but did not pass. A second bill was brought in the next year, but met with the same fate.

In 1883, however, another effort was made, and an Act was finally passed. To secure its passage an association was formed called the Niagara Falls Association, which had for its object 'to promote legislation and other measures for the restoration and preservation of the natural scenery at Niagara Falls, in accordance with the plan proposed by the Commissioners of the State Survey in their special report on the subject.' It was through this society that the expression of public opinion was obtained. The first move made was to secure the support of the press; and right willingly and steadfastly was this support given to the very end. Indeed, it was through fear of this mighty engine of a free people that more than one legislator gave his vote for the bill, and the writer recollects a fellow-member of the Legislature telling him he had voted for the measure solely because he was afraid 'the newspapers would hammer the life out of him if he voted t'other way.'

Strong opposition came to the bill from certain quarters, and in some of the agricultural counties of the State the fear of additional taxation to meet the cost of the proposed Reservation induced the members from those counties to oppose the bill. No

opposition was made to the bill *per se*, though there were members who considered the whole thing a bit of sentimental nonsense got up by a lot of rich people in the large cities. In many cases, however, these gentlemen were undeceived by their constituents, whom they found on inquiry to favour the proposition and to be very much more alive to the advantages and benefits to the State to be derived from the scheme than the aforesaid legislators dreamed of. Another difficulty to be overcome was the indifference on the part of the members, and the trouble always attendant on any effort to obtain the active support of a measure 'without any politics in it,' or which lacks the interest which attaches to legislation in the interest of corporations. Finally, however, the measure came out of committee in the Lower House, and, after a debate of some length, passed and went to the Senate. The margin, however, was a narrow one, the vote in the Assembly being barely enough. Sixty-five affirmative votes were required, and the measure received but sixty-seven in a possible hundred and twenty eight.

Altogether this first engagement was the hardest, and promised to be more difficult to win than any of the subsequent combats of the campaign. Public sentiment had not yet declared itself so emphatically as it did later on, and there were at this time honest opponents to the bill who carried many votes with them by the arguments that the State might become involved by such legislation for an unknown, and perhaps enormous amount, and that the measure was merely the entering wedge for a great and lasting extravagance. Enemies of the scheme made use of the word 'park,' commonly applied at the beginning of the movement, to show that all manner of costly public works were contemplated at Niagara. Goat Island was to be covered with statues and fountains, roads and paths laid out, bridges built, and summer-houses and other buildings erected, a mass of useless officials employed, and the Falls converted into a sort of a State Cremorne. In the Senate the passage of the bill was delayed for some time by the committee having the bill in charge failing to report it, and matters began to look serious, when the assistance of a certain well-known political leader was sought, and through his influence the bill was at once reported and presently passed.

This leader was the last person whom many would have thought willing to give it any help, and yet not only at this time but afterwards no one gave us more important support or more entirely sympathised with our efforts, and this, too, purely from a great love for nature inherent in the man—from, in fact, a mere sentiment, added perhaps to the sound common sense for which he is recognised by those who know him. As was generally expected, the Governor of the State, Cleveland—now President of the United States—at once

signed the bill, and appointed the commissioners who were to carry its provisions into effect. These were, that the commissioners should select the land at the Falls which in their opinion would carry out the plan of restoring the scenery at Niagara and renewing the charm and beauty of the spot so marred and defaced by the erection of unsightly buildings, &c. A selection was accordingly made of some 106 acres, including Goat Island and the adjacent smaller islands, what is known as Prospect Park, and a strip of land on the mainland; the result being that a Reservation complete in itself, and embracing all the American side of the Falls, was secured.

In compliance with the terms of the Act the commissioners then proceeded to have said lands condemned by due process of law, and, when this was completed, made their report to the State, and had a bill introduced into the Legislature of 1885 appropriating the sum needed to pay for the Reservation. The success so far had been in every way gratifying to the friends of the measure; but, as we all saw, the greatest difficulty lay in finally securing the money to complete the work, and with this knowledge every effort was made to impress upon the Legislature the propriety of voting the needed amount.

When this matter was first agitated, our opponents, as has been already stated, took the ground that the cost of the proposed Reservation would be very large, and that the commissioners, who were given unlimited powers in the way of the amount of property to be taken might involve the State in a great expense, and that the scheme would cost anything from five to twenty millions. It added much to the strength of our position then, to learn that the total cost of the Reservation proposed came to something under a million and a half of dollars, or just about what we had originally given as the probable cost. As an offset, however, to this advantage, the majority of the Legislature of 1885 was Republican, and, in the face of the coming election for Governor of the State, the politicians of that party were loth to increase the amount of appropriations for the year, believing the people might hold them responsible for any resulting additional taxation.

The attempt to make Niagara free to every one, rich and poor alike, was thoroughly democratic, and consequently many of the leaders in the Democratic party had given the scheme a very cordial support from the start, a Democratic Governor having first called the attention of the Legislature to the matter, and another Democratic Governor having signed the bill appointing the commissioners. Besides, the then Governor was also a Democrat, and should he in like manner approve the bill appropriating the money to secure the Reservation, the people might conclude that it was to the

Democratic party in the State that they were indebted for what a large majority were in favour of and eagerly wished to see consummated. Altogether the prospect for securing the money was not brilliant, and, to add to our doubts of obtaining it, the appropriations for the year were certain to be unusually large, owing to sudden imperative events in another direction—namely, for the maintenance of the State prisons. Indeed, one of our warmest friends and also one of the most prominent men in the Republican party, a man wielding great influence, wrote to the author of this article early in the session that, after a careful survey of the ground, he had little hopes of any success. Some of us, however, still believed that public sentiment, if its expression in an unmistakable way could be brought out, would force the Legislature to vote the money, and to that end the Niagara Falls Association and its friends bent all their endeavours. As before, we started with the press on our side, and with but few exceptions every newspaper in the State continued to give us its help and support. The unanimity of the press had its effect; and when, besides, members began to receive petition after petition from their constituents asking that the bill be passed, matters began to have a different look. Together with the men who, though belonging to one or the other of the great political parties, act independently on measures of general interest, the Legislature always contains many members who are merely the representatives of certain leaders in different parts of the State, and there are also other members who are generally willing to act in compliance with the wishes of some great corporation. The change to be made at Niagara promised to greatly increase the travel to that point, and so it was easy to secure the influence of the great railroad corporations of the State, and through them the votes of certain members. The political leaders who had helped in the passage of the first bill again gave us their support, and it was of the most valuable and positive sort. Finally the appropriation was duly voted in the Assembly, or Lower House, with but trifling opposition. When, however, the bill reached the Senate there were found to be powerful obstacles to its further progress, and an evident desire to smother the matter and 'kill it' in a quiet way, as by this time public opinion had become so entirely aroused, and had begun to express itself so emphatically, that but few politicians, however much opposed to the bill, dared to openly face it, 'or go on the record' against it. This attempt to smother and delay the measure was defeated by the friends of the bill exposing in the open Senate what was being done by its enemies, and so calling down upon these latter the thunders of the press and the indignation of their respective constituencies. Such a pressure was brought to bear that the bill came out of committee, and then passed the Senate with only

some four votes recorded against it. Indeed, many senators who had in previous years discountenanced all attempts to preserve Niagara, and ridiculed and opposed the scheme, now gave their votes for the appropriation to redeem and save it.

To reach, however, this result a compromise had to be accepted, so far as concerned the manner of raising the money to be used for the payment of the Reservation, an arrangement which later on placed the bill in a position of great danger. It would have been better to vote the entire sum outright; but the Senate were unwilling to do this for an amount exceeding, say, a third of the total, and directed the balance to be paid from the proceeds of bonds to be issued by the State. Even under the State Constitution bonds are only to be issued for some extraordinary purpose, and such issue is limited to one million, or just the amount directed by the Niagara bill to be raised this way. The change made by the Senate was promptly agreed to by the House, the latter acting throughout with great favour to the bill.

Mention has already been made of the flood of petitions which poured into Albany. Besides the petitions there came to every member of both Houses private letters written by half a dozen of the most influential citizens of both parties residing in the different Assembly and Senatorial districts, and these letters were obtained by circulars sent out by the Niagara Falls Association asking the individuals to whom the circulars were addressed to write such letters. Thousands of such circulars were distributed; and the association had also a gentleman acting as their agent, who for two winters went through the different counties of the State and personally visited the editors of newspapers and other influential citizens residing therein, explaining the proposed legislation, and asking for their influence and help. Numbers of the clergy of all denominations worked actively for us, and great was the help and assistance which came from the women of the State: the vote of more than one member of the Legislature was secured by the influence of his wife or children. Another sort of opposition came from a few of the landowners at Niagara, who were not over-willing to have their property taken by the State, as, incident to the use of the water-power, they were enabled to carry on a lucrative manufacturing business, and they well knew that for such water-power the State would not pay anything. It is true that this did not deter them from making claims of this sort, when the lands were condemned, of millions of dollars, which, however, were all thrown out by the arbitrators, as, luckily, these water rights had never been granted or ceded by the State, the original owners of the lands, and from whom all the titles to the property came. The opposition of these property-owners in the first stages of the enterprise was very active, and led to a clause

being inserted in the original Act limiting the time in which the State was to pay for the property condemned. This limit expired on the 1st of May, 1885, and had the bill appropriating the money not been signed by the Governor by that date the whole matter would have fallen to the ground and the movement to preserve Niagara received a set-back which might perhaps have for ever prevented its success. It was with the knowledge of this fact that our enemies in the Senate tried to delay action on the bill, and they so far succeeded that the bill went to the Governor at, so to speak, the last hour.

Great indeed, then, was the anxiety of all concerned when the Governor, to whom the Legislature sent the bill only ten days before the expiration of the limit of time referred to, did not immediately sign it. Allusion has already been made to a compromise in regard to the manner of raising the money. Governor Hill, who had succeeded Governor Cleveland, had grave doubts as to the propriety of the issue of bonds spoken of, and it was only at the last moment that he concluded that for the purpose intended there was no conflict with the meaning of the Constitution, and signed the bill just as the limit of time was about expiring. Pending the Governor's decision, some of the ablest and most distinguished lawyers of the State presented opinions in favour of the bill, and personally waited on the Governor to argue the propriety of his making the measure a law.

An incident which occurred at this time will show how greatly every one was interested in the measure, and how strong the sentiment had become in its favour. One of the foremost members of the bar had been asked by the Governor what his opinion was as to the constitutionality of an issue of bonds except for public defence or such like emergency, but without making any reference to the Niagara bill. In reply, the lawyer told the Governor that he had grave doubts of the constitutionality of any such legislation; but, learning a few days later what the bill was the Governor had reference to, he went immediately to the latter and strongly urged him to sign the Act, on the ground that the money was for an extraordinary purpose, and intended for the benefit of the entire people; in fact, the propriety of such an issue of bonds as was proposed was recognised in the character of the purpose for which the proceeds of the issue were to be used.

At the last moment the bill was signed, and perhaps no executive Act was ever received in the State with more complete and unanimous approval. Its passage secured for all time, not only for its own citizens, but for the nation and the world at large, the preservation of the greatest natural object of its kind, the Falls of Niagara. It had come to pass that the enjoyment of this wonderful gift of nature had been greatly impaired by the rapid progress of disfigurements—

indeed, its speedy destruction was threatened, and the State did not step in a moment too soon in order to retain this great possession for the ever-constant pleasure and delight of its people. The petition of the people addressed to their representatives asked that Niagara be made for ever free, and that its beauties be made accessible to rich and poor alike.

In spite of many obstacles this had at last been done, and solely through the power of sentiment. The love of nature and of the beautiful, patriotism and pride in retaining unimpaired this great wonder of the universe, had prevailed over indifference and self-interest. It is true that the Constitution of the State forbids the appropriation of public money for any but public uses ; but it was to be seen whether the meaning of the words 'public uses' was to be decided in a broad or a narrow sense, and whether the indulgence of a great and sublime sentiment was to be denied the people, as it were, by themselves. Under the administration of an enlightened despot the arts may flourish, and all that belongs to the sentiment of beauty be preserved and fostered, without trouble or difficulty. But amidst a free people the success of such a movement as has resulted in the preservation of the Falls of Niagara could only be brought about by an all-prevailing sentiment, touching all classes of society, a sentiment sure to carry all before it when once aroused, and which voices to its servants orders which they never dare to disobey. But a short period was necessary for the transfer to the State of the property at the Falls previously selected by the commissioners, and on the 15th of July, 1885, the Reservation was formally opened to the public by appropriate ceremonies, and the great cataract declared free for ever to all mankind.

The commissioners immediately proceeded to the removal of the many unsightly buildings, &c., which have so long disfigured the surroundings of the Falls. Already nearly all of such eyesores have disappeared, and the change made far exceeds expectations. Those who went to Niagara but a year ago, were they to go again to-day would hardly recognise the place so far as the American side is concerned. The change has extended to the municipal affairs of Niagara village, where a most complete reform has taken place, and which will be sensibly felt by any traveller visiting there now and having occasion to have to do with one of its far-famed hackmen and cabdrivers. The freedom of the Falls and the removal of all charges have greatly increased the number of visitors, the number last season being many times greater than ever before. With all this great concourse of people arrests are hardly ever made, and, without any police deserving of such a name, the commissioners readily guard the Reservation and preserve the public peace. The success of our efforts has had its effect on our Canadian neighbours ; and the time

is not distant when both sides of the Falls will have been secured from any possible injury in the future. The province of Ontario, which shares with New York the possession of the great cataract, has already through its commissioners proceeded to make a Reservation like ours. The lands have been selected and condemned, and it will not be long before both sides of the Niagara River are, as they should be, public domain, and thus the work of saving Niagara, and preserving forever its great charm and beauty, will be realised in all its completeness.

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